



U.S. Department of Justice

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Eastern District of New York*

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May 1, 2025

By ECF

Honorable Rachel P. Kovner
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Antonio Eaddy v. United States*, Civ. No. 24-8109 (Kovner, J.) (Scanlon, M.J.)

Dear Judge Kovner:

This Office represents Defendant United States in this Federal Tort Claims Act (“FTCA”) lawsuit and writes, with Plaintiff’s consent, to respectfully request a 60-day extension of time for Defendant to file its motion to dismiss the complaint from May 8, 2025 to July 7, 2025 and a concomitant extension of the deadlines for Plaintiff to file a response (from June 9, 2025 to August 6, 2025) and Defendant to file a reply (from June 23, 2025 to August 20, 2025).

By way of background, Plaintiff, a former inmate housed at the Metropolitan Detention Center (“MDC”) in Brooklyn, New York, asserts tort claims against the United States for negligence under the FTCA, 28 U.S.C. §§ 1346(b), 2674, stemming from an attack on Plaintiff by other inmates on May 10, 2022. Dkt. No. 1. Plaintiff alleges that the United States was negligent when the Bureau of Prisons moved Plaintiff into a new housing unit where the attack took place.

On March 25, 2025, the parties appeared before the Court for a pre-motion conference regarding Defendant’s proposed motion to dismiss this action for lack of subject matter jurisdiction and as untimely. During that conference, the Court entered a briefing schedule, ordering Defendant to serve its motion by May 8, 2025, the Plaintiff to serve a response by June 9, 2025, and Defendant to serve a reply by June 23, 2025. This request for an extension is being made to permit additional time for the undersigned Assistant United States Attorney, who is preparing for a bench trial scheduled to begin on June 9, 2025 before the Honorable Ramon Reyes Jr., to prepare the motion papers.

This is the first request for an extension of the deadline to file the motion to dismiss. As noted above, Plaintiff consents to this request. Defendant thanks the Court for its consideration of this request.

Respectfully submitted,

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